

LAWS of Maryland.

ENACTED

At a Session of ASSEMBLY, begun and held at the City of ANNAPOLIS, on *Tuesday* the Tenth Day of *October*, in the Thirteenth Year of the Dominion of the Right Honourable *CHARLES* Lord Baron of *Baltimore*, Absolute Lord and Proprietary of the Provinces of *Maryland* and *Avalon*, &c. Annoq; *Domini* 1727.

To which are added,

Some Laws that were omitted to be Collected in the bound Volume. As also the *SPEECH* of His Excellency the Governour, and the Addresses of both Houses, and the Answers thereto, at the Opening this Session.



Ben^d Leonard Calver

By AUTHORITY.

ANNAPOLIS:

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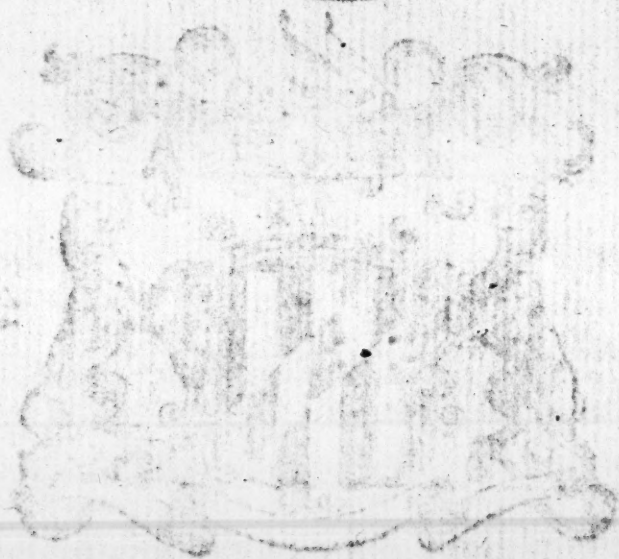
LAWSON OF MARYLAND

ENACTED

At a Session of the ASSEMBLY, begun and held
at the City of ANNAPOLIS, on Tuesday the
Tenth Day of October, in the Thirteenth Year
of the Dominion of the Right Honorable
CHARLES Lord Baron of Baltimore
Absolute Lord and Proprietor of the Pro-
vinces of Maryland and Nevis &c. Anno
Domini 1737.

To which are added

Some Laws that were omitted to be Collected
in the bound Volume of the Statutes
of this Excellency the Governor, and the
Addresses of both Houses, and the Officers
thereof, at the Opening of this Session.



By AUTHORITY

ANNAPOLIS:

Printed and Sold by William P. M.DCCXXVII. Price Two Shillings.

THE S P E E C H OF

His Excellency **BENEDICT LEONARD CALVERT**,
Governour and Commander in Chief, in and over the Province of
MARYLAND, to both Houses of Assembly, at the Opening of
this Session.

Gentlemen of the Upper and Lower Houses of Assembly,



THE Decease of Our late most Gracious Sovereign Lord King **GEORGE**, affords Me the melancholly Occasion, to condole with You the Loss of the Greatest and Best of Kings, to whose vigilant and tender Care of his People, *Great-Britain* owes the Preservation of its happy Constitution both in Church and State, with all the other Blessings of Trade and Commerce, Peace and Tranquility, both at home and abroad, as much to the Envy of all Neighbouring Nations, as to the Glory of our own. Had these inestimable Blessings been only transitory with our late Sovereign's Life, *Great-Britain* must have remained inconsolable; but as they are inherent to a Succession in the *Hanover* Line, they yet remain permanent to Us, by the immediate Accession of his present Majesty to the Throne. A Prince, whom *Great-Britain* hath not only Recogniz'd, as the lawful Successor to his Royal Father's Throne, but also as the True Inheritor of those numerous Royal and Glorious Vertues, wherewith his Great Father did adorn his Crown. His Majesty's most Gracious Speech to both Houses of Parliament, with the dutiful Addresses of the Lords and Commons in Return, best bespeak our Nation's present Happiness, and the pleasing View of its Continuation, by a constant future Succession in his Majesty's Royal House and Family: Such a Prospect as this, must be grateful to every one that thinks and wishes as a *True Briton* should; wherefore I do heartily congratulate You all as such, on this just and important Occasion.

I have endeavoured to express our joyful and dutiful Sense of these happy Tidings, by Proclaiming his present Majesty here, in the most solemn and decent Manner our Circumstances of Time and Place could admit of, wherein I hope for Your Approbation, and likewise Your Concurrence, in an Address to his Majesty, to be presented by Our Lord Proprietary, with Our due Acknowledgments of the Divine Blessing, in his Majesty's happy Accession to the Throne of his Ancestors.

Gentlemen,

AS I am now addressing My self to the Representative Body of the People of this Province, I cannot omit the Return of My sincerest Thanks to them, for the kind Reception I have hitherto found in this Province; it has imprinted in My Mind the most favourable Ideas of a People loyal to their King, dutiful to their Lord Proprietary, and benevolent to My-self: May this happy Disposition towards Your King and Proprietary, ever continue among You, inasmuch as it will secure to You, his Majesty's Royal Protection, and his Lordship's kindest Indulgence on all Occasions. As for My-self, their unworthy Representative here, I have had little Time as yet to merit Your favourable Consideration of Me; but if a perpetual Attachment to Your Interest, and uninterrupted Endeavours for Your Welfare, may justly entitle Me to it, I hope not to be defeated of the Reward I have so principally in My View, the fair Opinion and Esteem of the good People of *Maryland*.

AS You are now met in Assembly, to consult the Publick Good, let the Service of Almighty God, and the Honour of his holy Religion, be Your first and chiefest Care, that true religious Worship, and the Virtues becoming the Profession of Christianity, may be established among Us.

IN the Consideration of Your Civil Interest, the present ill State of the Staple of this Province may require Your utmost Attention, and happily some Method may be found out to render it more beneficial to Us: The Merchants at Home complain of Our Shipping Tobacco so late in the Year, and the Slavery imposed on their Sailors, by being obliged to roll it from far to the Water-side: From hence they observe, that their Ships lye here subject for many Months to the Injury of the Worm, their Sailors undergo such Fatigue from the Excess of Heat and Labour, that if not lessened in Number, they are at least abated in their Ability to work the Ships home; and that their Ships arrive on the *English* Coast in a stormy and dangerous Season: If these

these Inconveniences attend them in their Shipping, they must of Course entail others on Us; leaky Ships and bad Weather must damage Our Tobacco, want of able Hands endanger the Loss of it, and tho' it arrives in Safety, yet comes to a late Market, which is generally a bad one: Your own Interest will suggest to You, better than I am able, the proper Remedies to such Evils.

Gentlemen,

Y O U in Your several Counties, have had the nearest Opportunities, to observe how far the Assize-Law which is now expired, has answered the Ends proposed by it: I must indeed be of Opinion in general, That such a Law has, or may be at least, of great Ease to Evidences and Jury-men, whose Attendance at Provincial Courts must have heretofore been very expensive and inconvenient to them.

T H E A ct for Regulation of Ordinaries, expires likewise with this Session: What Reasons induced You last Session to continue it only for one Year, I am at a Loss to determine. Certain I am, that such a Law, when first devised, was esteemed beneficial to the Country; if You are of a contrary Opinion, You will decline it, and their Regulation must return to its more ancient Course.

I cannot but highly commend the Care that has hitherto been taken, to inspect and amend the ill Condition of our Publick Records. Latest Posterity, who must reap the chiefest Benefits from it, will remember the present Age with Gratitude for that Security in their Estates. And, that so commendable a Work may be fully perfected, it may not be improper, for a Committee of both Houses, to inspect what the Commissioners have done therein: This will give them a fair Opportunity of receiving the Publick Thanks, for their Fidelity and Care in Discharge of their Duty.

A S the new Copies may be fittest for daily Use, You will consider, whether a separate Repository for the Old Records, may not be proper to secure Us from a total Loss of all, in case of Fire or other unavoidable Accident.

I am sorry to find, that the Journals of both Houses of Assembly, are not in the same Method for Perpetuity, as other Records are; they would be of the greatest and most necessary Use to Posterity, inasmuch as all Proceedings in Legislation are of the utmost Importance to the Publick: It seems indeed, to require the Recording of them otherwise, than in loose Papers and separate Journals; Ruin and Annihilation will sooner attend them in such Parcels, than if they were transcribed into large and strong Books; without this Precaution, our Transactions in Assembly will be hereafter only known by uncertain Traditions; whereas Records will speak for themselves and Us, and save our Memories from the Odium of so fatal a Neglect.

Gentlemen,

T H U S have I premised what at present occurs to Me, worthy Your Consideration; Your own Vigilance for the Publick Good, will, I doubt not, supply the rest: I do earnestly invite You all to the Pursuit of Your real Interest: Avoid Strife and Contention, for of them comes no Profit to any; But, be assured, That such as promote general Unity and Harmony amongst Us, render Service most acceptable to G O D, and most beneficial to their Country. Let not Jealousies and Fears, the Bane of all humane Society, have Place amongst You; consider them as the direful Weapons whereby the common Enemy of Mankind can only destroy an happy People; and then, I doubt not but You will avoid both them, and such as handle them, generally indeed for their own private Ends, tho' under the specious Pretence of a Publick Good.

F R O M the Lord Proprietary, You may ever expect, what in Reason You can ask of Him; He neither desires the Destruction of Your Liberties, nor of His own Prerogative. To Me He gave this just Rule for My Administration, *That Prerogative and Privilege should have each their Due.* To such wise Commands You need not doubt My strictest Obedience. His Lordship's Interest is so interwoven with Yours, that I wonder Infatuation could ever rise so high in some mistaken People, as to doubt his Lordship's Sincerity, when he has so often declared, That He will not be wanting on his Part to make You an easy and happy People; to which desirable End, He is also animated by more noble and generous Motives, than that of Self-Interest; for as His Ancestors first occasioned and encouraged the Seating of this Province, He would imitate their Great Example, by a perpetual Care and Attendance towards its Welfare and Prosperity.

To the Honourable Benedict Leonard Calvert, Esq; Governour of
MARYLAND.

The Humble Address of the House of Delegates.

May it please Your Honour,

W E His Majesty's most dutiful and loyal Subjects, the Representatives of the Free-Men of Maryland, acknowledge the Favour of Your kind Speech to both Houses, at the Opening this Session; and are truly thankful to You for the Honour You have done Us, by causing Our present most Gracious Sovereign to be Proclaimed here, after the most magnificent Manner.

Y O U R laudible Example herein, has in the several Counties of the Province, as far as could well be expected, been followed; and We, that We may not be wanting to Ourselves and Country, shall heartily concur with You, not only in a loyal Address to his Majesty, to be presented as You advise, but in doing every other Thing that may manifest Our just Sense of the innumerable Blessings We enjoy under the present most happy Establishment.

T H E

THE Satisfaction You are pleased to express, at Your Reception in this Province, affords Us the greatest Joy, and encourages Us to persist in Our Loyalty to Our Sovereign, Our Duty to Our Lord Proprietary, and You their favourable and worthy Representative, whereby We hope we shall be so fortunate as to preserve Your Esteem.

THE Honour and Service of Almighty GOD, and his Holy Religion, is what We have the greatest Inclination to promote; and doubt not but, with Your Honour's Assistance, We shall find Ways to encourage as well the Clergy as the Laity, to be more Exemplary in their Lives and Conversations, than they now are.

THE Improvement of Our Staple, has often been attempted, tho' with little Success; but since Your Honour is pleased to recommend it now to Us, We shall, in that and the other Things taken Notice of in Your Speech, exert Our selves to advance the real Interest of Our Lord Proprietor and Country.

THE kind Caution You gave, concerning Our Publick Records, is what We shall always gratefully remember; and take Care to have the Records so far separated, that both the Old and New may not be subjected to Loss by one Fire, or other fatal Accident.

WE acknowledge our selves to be very much obliged to Your Honour, for so earnestly recommending to Us the Pursuit of our real Interest, and avoiding Strife and Contention: And We assure Your Honour, We will follow the wholesome Advice given Us therein, as well as discountenance (to the utmost of our Power,) such as would create Misunderstandings and Differences between the Lord Proprietor and the People, being convinc'd that such are not Friends to either, let their Preerences be what they will.

WE confess, that his Lordship has frequently declared his having the Good of the Province at Heart, and that he was resolved to support the People in their just Rights and Priviledges; and We question not the Sincerity of his Lordship's Intentions: Yet We cannot but with Grief observe, That such is the Power of the Enemies of our Constitution and Happiness, with his Lordship, that his most generous and best Inclinations towards us, have been frustrated by their malignant Influence and pernicious Counsels: This, May it please Your Honour, is a melancholly Truth, and too manifestly proved by his Lordship's Dissent to the Law prescribing the Oath of Judge, within this Province, and the attempting to deprive Us of the Benefit of the English Statutes, tho' essential to the very Being of our Liberties and Properties. Should We pass these Things unregarded, or omit any Thing in our Power to transmit to Posterity the same Liberties We derive from the Laws of Our Mother-Country, and the ancient Rights of British Subjects, it would be an Infatuation indeed, and such a Breach of Our Duty, and Treachery to those We represent, as would make Our Names and Memory odious, and entail Infamy, as well as Misery upon our Descendants. But We purpose (by the Divine Permission,) to avoid these Evils, by a faithful and resolute Discharge of our Duty, in supporting his Lordship's just Prerogatives, and Our just Rights; and confounding (as much as in Us lies) the Machinations and Artifices of the Enemies of Both.

To which the Governour was pleas'd to make the following Answer.

Gentlemen,

Nothing can be more pleasing to Me, than your Approbation of My Words and Actions, which I find by your Address, I have hitherto obtain'd; My sincerest Thanks attend you, for this early Intimation of your favourable Opinion of Me; and you may be always assured of My Esteem, whilst you persist in your Loyalty to your Sovereign, and your Duty to your Lord Proprietary.

Benedict Leonard Calvert.

To His Excellency Benedict Leonard Calvert, Governour and Commander in Chief, in and over the Province of MARYLAND.

The humble Address of the Upper House of Assembly.

May it please your Excellency,

WE beg Leave, in the humblest Manner, to return your Excellency our most hearty, Thanks, for your favourable Speech to both Houses, at the Opening of this Session of Assembly, wherein You have been pleased to use such pathetick Expressions, in condoling with us, the unparalleled Loss we have sustained by the Death of the best of Kings, our late renowned Sovereign of happy Memory, as have again revived the great Grief we had before conceived upon that most melancholly Occasion; and which, indeed, would have been insupportable, had it not been alleviated by the happy Accession of his Royal Successor, our present most gracious King George the Second, to the Throne of the British Dominions, in whom we doubt not but all the numerous Virtues of his most glorious Father are inherent, and will most effectually operate for the Preservation of the Lives and Religion, Liberties and Properties of all the Subjects of Great Britain, whereby that Imperial Kingdom will acquire a superior Influence over all the neighbouring Nations. We gratefully accept your Excellency's Congratulation upon these our happy Circumstances, and with joyful Hearts join in fixing our Thoughts upon the pleasing Prospect of a lasting Continuance of these inestimable Blessings to the latest Posterity, under the Government and Protection of a numerous Succession in his Majesty's Royal Family.

THE

THE great Care and Diligence your Excellency has been pleased to use, in causing our present most gracious Sovereign King George the Second, to be proclaimed, with the utmost Decency our present Circumstances would admit, requires our most hearty Thanks: And, we do assure your Excellency, That we shall heartily and readily join in an Address to his most Sacred Majesty, to shew our grateful Acknowledgment of the Divine Blessing upon his happy Accession to the Throne of his Ancestors.

IT is with great Pleasure we observe the Satisfaction you have been pleased to express, at the Reception the People of this Province have been able to give your Excellency, since your Arrival; and only wait some favourable Opportunities to shew how much our Inclinations exceed our Abilities, in meriting the Character of being loyal to our King, dutiful to our Lord Proprietary, and respectful to Yourself, which we are sensible will be the surest Way to preserve our Ecclesiastical and Civil Rights and Privileges. We have a plain Indication of your Excellency's sincere Intention to promote the Good and Welfare of the People of this Province, in that you have been pleas'd, in several Paragraphs of your Speech, so earnestly to recommend to our Consideration, such Things as, when perfected, must certainly be conducive to that good End, of which we shall always retain a grateful Remembrance, and with the utmost Diligence apply ourselves to the Consideration of them, and all such other Matters as shall occur to us, for the Publick Welfare, and endeavour to do therein what shall appear necessary for the Good of this Province, and suitable to the present Circumstances thereof.

YOUR Excellency's pressing Invitation to pursue our real Interest, we shall carefully observe; and your kind Advice to avoid Strife and Contention, delivered in so obliging a Manner, we sincerely hope will have its desired Effect.

WITH the greatest Satisfaction, we lay hold of this Opportunity of Acknowledging our just Sense of his Lordship's good Intentions towards the People of this Province, in having directed, That *Prerogative* and *Privilege*, within their just Limits, should be made the Rule of your Excellency's Administration; a Rule indeed, which of all others is the best suited to an *English* Constitution, and was made so much the Dearer to us, by your Excellency's firm Resolution, declared in your Speech, to pay a strict Obedience to those equal Commands, which we hope will be sufficient to convince the good People of this Province, that his Lordship has no Intention to do any thing in Prejudice of their Liberties and Privileges.

FOR, as his Lordship's Interests, are inseparably interwoven with the best and most advanced State of Prosperity, in this his Province of *Maryland*, and as Affluence and a great Increase of Riches therein, is the sure Means of adding to the Honour and Magnificency of his most Illustrious Family, it looks like a kind of Infatuation in some People, to suspect him capable of such ungenerous Views, as would prove either inconsistent with, or destructive of the Rights, Privileges or Properties of the good People thereof.

WHEREFORE, We do not in the least doubt the Lord Proprietary's kind Intentions, to grant whatever is fitting for us to desire of him: And, we take Leave to assure your Excellency, That we have not any Reason to question his Lordship's sincere Endeavours to make us easy and happy in our Circumstances, of which we have already had so many repeated Instances, that nothing but an insuperable Diffidence can resist so evident a Truth; a fresh Instance whereof we have lately received, in his sending your Excellency, (his so near Relation,) to govern us, of whose Goodness and Prudence we have so promising a Prospect, that we are induced to believe your Administration will highly conduce to the Prosperity of this Province, so happily settled and improved by the Encouragement of his Lordship's noble Ancestors.

To which the Governour was pleas'd to make the following Answer.

Gentlemen,

I Return You my sincerest Thanks for your Obliging Address; and as My principal View is the Welfare of this Province, I shall always desire your Advice and Assistance, towards fixing it's Prosperity, on the surest Foundations.

Benedict Leonard Calvert.



At

At a General Session of **ASSEMBLY**, begun and held at the City of *Annapolis*, on *Tuesday* the Tenth Day of *October*, 1727, the following Laws were Enacted.

An ACT for ascertaining the Form of the Oath of Judge or Justice.

WHEREAS the Oath of *Judge or Justice*, (appointed to be taken by the Statute of the Eighteenth of *Edward* the Third,) does not in many Particulars provide for the Constitution of this Province, nor suit the Circumstances of any other Proprietary Government; and for that the Oath of *Judge or Justice*, proper to be taken in this Province, is not ascertained by any **ACT** of our own:

Former Laws not having provided an Oath of Judge, &c. suitable to the Constitution of this Province,

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of His Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That at some convenient Time, after the End of this present Session of Assembly, and before the last Day of March next, the following Oath shall be taken, as the proper Oath of Office, by the Members of the Court of Appeals, as Judges to correct Errors in Judgments and other Proceedings at Law, the Justices of the Provincial and County-courts, and the Mayor, Recorder and Aldermen of the City of Annapolis, for the Time being, changing only what is to be changed, according to the different Stations of such Magistrates, viz.

It is now Enacted, that the following Oath shall be taken by all Judges or Justices, by the Time here limited, viz.

YOU shall swear, That as a Justice of the Provincial Court of *Maryland*, in all Articles of his Lordship's Commission to You directed, You shall do equal Law and Right to all the King's Subjects, rich and poor, according to the Directions of the Acts of Assembly of this Province, so far forth as they provide; And, where they are silent, according to the Laws, Statutes, and reasonable Customs of *England*, agreeable to the Usage and Constitution of this Province; and not delay any Person of Common Right, for the Letters of the King, the Lord Proprietary, or of any other whatsoever, nor for any other Cause; And in case any Letters shall come to You, contrary to Law, that You do nothing by them, but cause them to be entered on Record, and certify the King, the Lord Proprietor, or the Governour (for the Time being,) of them, and proceed to execute the Law notwithstanding the same Letters: That You shall hold your Courts according to the Acts of Assembly, and the Directions in your Commission: That You shall do and procure the Profit of the Lord Proprietor in all Things where you may lawfully

The Oath of Judge or Justice.

" and reasonably do the same. And that You shall not debar or
 " hinder the Prosecution of Justice ; nor take any Gift, Bribe or Fee,
 " for delaying, or rendering Judgment, but shall behave yourself justly,
 " honestly and faithfully to the best of your Knowledge and Understand-
 " ing, so long as You shall continue in the said Office."

So help You G O D.

By whom
the said Oath
shall be took.

Limited
Time for
Qualifying.

Some Judges
allow'd to
qualify, any
time before
they act judi-
cially.

And be it likewise Enacted, That the same Oath shall be taken by the Members of the Court of Appeals, as Judges to correct Errors in Judgments, and other Proceedings at Common Law, the Justices of the Provincial and County-courts, and the Mayor, Recorder and Aldermen of the City of *Annapolis*, for the Time being, as their proper Oath of Office, to be administred as hath been heretofore used ; and that the same be administred to the Members of the Court of Appeals, as Judges to correct Errors in Judgments, and other Proceedings at Common Law ; the Justices of the Provincial and County-courts, and the Mayor, Recorder, and Aldermen of the City of *Annapolis*, now in being, by Virtue of, and according to the Directions of the several Commissions, Writs of *Dedimus Potestatem*, or the other Authorities that the late Form of their Oath of Office was administred by : And that after the last Day of *March* next, none of the Members of the Court of Appeals, as Judges to correct Errors in Judgments, and other Proceedings at Common Law, nor the Justices of the Provincial or County-courts, nor the Mayor, Recorder, and Aldermen of the City of *Annapolis*, be capable of acting in their respective Stations, without having first taken and continuing under the Obligation of the said Oath, as their proper Oath of Office, in Manner aforesaid.

Provided, That if the Judges in the High Court of Appeals, Provincial Courts, and Courts of Assize, take the said Oath at any time before they proceed to the Judicial Determination of any Matters of Law in their respective Courts, the same shall be taken as a full Compliance with the Directions of this Act ; any thing herein before contained to the contrary, in any wise, notwithstanding.

An ACT directing the Payment of Fees arising due on the Prosecution of White Servants, which shall hereafter be im- ported into this Province.

Preamble.

FORASMUCH as it is evident to this present General Assembly, That the Charges of late arising to the Publick and several of the Counties within this Province, on the Prosecution of Servants, have been a very great Burthen to the Publick. And whereas it is manifest, that several Felonies and other Offences have been frequently committed by Servants, which might have been prevented by their Masters, by taking Care to keep them in due Order and Subjection, and sometimes Servants have been induced by the Encouragement, and sometimes by the Severity of their Masters, to commit Felonies and other Crimes, the Masters well-knowing that in case of Pro-
secution

secution, the Expence thereof must have been born by the Publick, or the Inhabitants of the County or Counties where the Facts have been committed : For Remedy of which Evils,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this present Session of Assembly, it shall and may be lawful, to and for the several and respective Officers within this Province, to whom any Fees shall arise due on any Prosecution of the Lord Proprietary, against any Servants that shall be imported into this Province, at any Time after the End of this Session, to charge the same to, and recover the same from the Masters or Owners of such Servants, in the same Manner as if they arose due from, and were the proper Debts of the Masters or Owners themselves, as by other Laws are provided: And that it shall not be lawful for any Officer or other Person, to charge the Publick, or any County, for any Fees that shall arise due on the Prosecution of any such Servants as aforesaid ; any Law, Statute, Usage or Custom to the contrary, in any wise, notwithstanding.

For the future, all Charges arising on the Prosecution of White Servants, to be paid by the Owners of such Servants.

And not by the County.

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That it shall and may be lawful to and for the Owners of such Servants (unless the Offence whereof he, she, or they shall be convicted be Capital, and that the Offender or Offenders are actually executed for the same,) at or before the Time of the Expiration of such Servants Servitude, to carry such Servant to the County-court held for their County, and on their making it fully appear to the Justices of such Court, how much Tobacco hath been paid by them for such Servant, on Account of such Prosecutions, it shall and may be lawful for the Justices of such Court, and they are hereby required, to adjudge what Time (not exceeding Three Years,) they shall think reasonable, to serve the Owner in Recompence to such Fees paid as aforesaid ; unless such Servant can make Payment thereof in some other Manner.

Owners of such Servants to have their Recompence for such Charges, by such Servitude of Servants, at the Expiration of their Time, as the Court shall allow.

And be it Enacted, by the Authority aforesaid, That all Masters and Owners of Women Servants, having Bastard Children, shall be obliged to maintain such Bastard Children, at his and their own proper Cost and Charge, during the Continuance of such Servant Woman in his or their Service.

Bastard-Children to be maintained by the Masters of the Women who bore them.

Provided, That it shall and may be lawful for the Justices of the County-court, where such Bastard Child or Children shall be born, to adjudge the Mother or Mothers of such Bastard Child or Children, where the Father is unknown, or incapable to make any Satisfaction, to make her or their Master or Owners full Satisfaction and Recompence by Servitude or otherwise, for maintaining and supporting such Bastard Child or Children ; any Law, Usage or Custom to the contrary, notwithstanding.

And if the Father is unknown or incapable, the Mother to serve for Recompence

Provided always, That where the Begetter or Begetters of such Bastard Child or Children, is or are Resident or Residents within this Province, of Ability to maintain such Child or Children, and lawfully convict of being the Begetter or Begetters of such Child or Children, it shall and may be lawful in all such Cases, for the several Justices of the Peace to oblige such Father or Begetter, to support and maintain such Bastard Child

But if the Father of the Bastard Child be a Resident in the Province, and of Ability, the Justices may compel him to maintain the Child.

Child or Children as heretofore they might have done; any Thing in this Act to the contrary, notwithstanding.

An ACT giving Encouragement to make Hemp, within this Province.

The Tobacco-Trade being reduced; and the making of Hemp being thought useful,

For Encouragement as a Bounty, every Maker of it shall have 100 Pounds of Tobacco for every 100 Weight of Hemp; to be allowed by the County, and collected by the Sheriff.

Allowance, how to be applied for.

Justices Duty therein.

Duration of this Act.

FORASMUCH as the Tobacco-Trade is reduced to very mean Circumstances, and it is generally thought that the making of Hemp will be of great Use, not only to this Province, but to the Kingdom of *Great-Britain*, for supplying of Naval Stores :

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That if any Person or Persons, living or inhabiting within this Province, shall hereafter make, either by themselves, their Servants or Slaves, upon any the Lands or Plantations within this Province, any Quantity or Quantities of Hemp, and cause the same to be cleaned, and made merchantable, they shall be allowed as a Bounty for their Encouragement, the Quantity of One Hundred Pounds of Tobacco, for every Hundred Weight of Hemp they shall so make, as aforesaid, and pro rato, for a greater or lesser Quantity; to be levied (together with the Sheriffs Salary for collecting the same) by the Justices of the several and respective County-Courts within this Province, by an equal Assessment upon the Taxable Persons within that County where such Hemp shall be made as aforesaid; and collected by the Sheriff of the County, as a Part of the County Levy, and by him to be paid to whomsoever it shall become due.

And every Person as aforesaid, that shall make any Quantity of Hemp, clean and merchantable, and want the Allowance aforesaid for the same, such Person or Persons are hereby directed to apply themselves to any Justice of the Peace for the County where such Hemp shall be made; every which Justice (upon Application to him to be made as aforesaid) is hereby impowered and required to appoint some Person of honest Reputation, to go with the Person applying to him, to take a just and true Account of the Weight and Quality of all such Hemp that he craves Allowance for, and return the same to such Justice, upon Oath: And if it shall appear to the said Justice, by the Oath of such Person appointed as aforesaid, that the said Hemp is clean and merchantable, and the Party also making such Oath, before such Justice, that such Hemp was made within that County, and that he, nor any other Person hath ever had any Allowance or Certificate for the same; such Justice shall then give such Person a Certificate of the Quantity of such Hemp: And upon such Person or Persons producing such Certificate or Certificates, to the County Court, the Justices thereof are hereby required to make them such Allowances as beforementioned.

This Act to continue Three Years, and to the End of the next Session of Assembly which shall first happen after the said Three Years.

An

An ACT Reviving and Continuing an Act of Assembly, Entituled, An Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law.

BE it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of His Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the above-mentioned Act, entituled, *An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law*, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty Second Day of June, Anno Domⁱ One Thousand Seven Hundred and Fourteen, be and is hereby revived and continued in full Force, from and after the End of this present Session of Assembly, for and during the Term of Three Years, and to the End of the next Session of Assembly that shall happen after the said Three Years.

The above mentioned Act continued in Force 3 Years, &c.

An ACT reviving and continuing an Act of Assembly, Entituled, An Act for the Advancement of Justice.

BE it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the above-mention'd Act, entituled, *An Act for the Advancement of Justice*, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty Third Day of September, Anno Domⁱ One Thousand Seven Hundred and Twenty Three, be and is hereby revived and continued in full Force, from and after the End of this present General Assembly, for and during the Term of Three Years, and to the End of the next Session of Assembly that shall happen after the said Three Years.

The above mentioned Act continued in Force 3 Years, &c.

An ACT for reviving an Act, entituled, An Act for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise, the Continuance of Causes in the Provincial Court, and Adjournment of that Court, with the Supplementary Act thereto; and to amend some Defects in the said Acts.

BE it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act made at a Session of Assembly, begun and held at the City of Annapolis the Twenty Third Day of September, Anno Domini One
C
Thousand

The above mentioned Acts continued in Force Three Years, &c.

Several Actions being discontinued, thro' the Miscarriage of Records,

The Secretary shall be obliged to make out such Records as shall be required by Attorneys, to be transmitted to the Clerks of Assize, &c.

Proviso for the Secretary.

Records not to compel Tryals, unless, &c.

Thousand Seven Hundred and Twenty Three, entituled, *An Act for the Tryal of all Matters of Fact in the several Counties where they have arisen or shall arise, the Continuance of Causes in the Provincial Court, and Adjournment of that Court*; as also one other Act of Assembly, made at a Session of Assembly begun and held at the City of Annapolis, the Sixth Day of October, Anno Dom' One Thousand Seven Hundred and Twenty Four, entituled, *A Supplementary Act to the Act entituled, An Act for the Tryal of all Facts in the Counties where they have arisen and shall arise, the Continuance of Causes in the Provincial Court, and the Adjournment of that Court*, be and are hereby revived and continued in full Force, from and after the End of this present Session of Assembly, for and during the Term of Three Years, and to the End of the next Session of Assembly that shall happen after the said Three Years.

And forasmuch as it appears to this General Assembly, That many of the Actions heretofore depending in the Provincial Court, have been discontinued after the Issues have been joyned, without Tryal, by Miscarriage of the Records, before they got into the Possession of the Clerk of Assize,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Secretary for the Time being, shall cause every Record that shall be ordered by any Attorney of the Provincial Court, to be made out, for any Tryal of any Issues at the Assizes, to be transmitted to the Clerk of Assize of the Circuit where the Issue is to be tryed, (who is by this Act obliged to receive and carry the same the Circuit,) before the Assizes for that Shore whereon the Issue is to be tried, begins; under Penalty of paying unto the Party that suffers for want of the Record being transmitted, such Costs and Damages as shall be by the Justices of the Provincial Court, judicially sitting, ordered and adjudged; which said Justices are hereby, upon Complaint made to them, required after a summary Manner to proceed to Judgment thereon.

Provided always, That the Secretary shall not be obliged to answer any Damages or Costs to any Person, by Virtue of this Act, unless Orders in Writing for transmitting the Records, as aforesaid, be left with the Clerk of the Provincial Court, at least Thirty Days before the Beginning of the Assizes on the Shore where the Issue is to be tried.

Provided also, That the Records being lodged with the Clerk of Assize, after the Manner aforesaid, shall not empower the Judges to compel a Tryal against the Will of the Plaintiff, unless where the Record is taken out at the Request of the Defendant, in order for Tryal by Proviso.

An ACT concerning Tobacco.

Preamble.

WHEREAS Tobacco, the only Staple of this Province, and the principal Dependence of it's Inhabitants, has been for several Years, and now is so very low, that the Makers of it cannot possibly support themselves by the Produce thereof: And whereas the large Quantities of Trash, and Unmerchantable Tobacco usually made and Shipped, hath been, and always will be (if not remedied) very detrimental to the Trade in general; and that the Peoples

ples Backwardness in getting their Tobacco ready in a reasonable Time, hath not only occasioned very great Delay and Charge, in the Lading and Dispatch of Ships; but sometimes of the Loss of Ships and Mens Lives, and always of great Damage to the Tobacco it self, in Winter Passages; besides missing the Opportunity of early and quick Markets, (the Life of Trade,) For Remedy whereof,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That if any Person, or Persons, having the immediate Rule, Directions or Government of any Plantation, where Tobacco is, or shall be made, shall false pack any Hogshead, or other Package, or use any fraudulent or deceitful Practise or Means, to conceal or hide any Frost-bitten trashy Ground-Leaves, small Scrubs, Stalks, Stems, Wood, Dirt, or any manner of Trash, or decayed old Tobacco, and shall offer or tender to sell, or pay away the same, as good merchantable Tobacco, and shall be convicted of such false Packing, before any Justice of the Peace, who shall, by Virtue of this Act, have Cognizance thereof, as in case of small Debts, shall, for every such Offence, forfeit Four Hundred Pounds of Tobacco, to the Party to whom such Tobacco shall be paid, or tendered, or offered to be paid; if such Party will prosecute for the same within Two Months after the Offence committed: And, in case such Party shall neglect or refuse to prosecute, the said Penalty shall and may be recoverable by any other Person, to his own Use, that will inform and prosecute for the same, before any such Justice; any Law, Usage or Custom to the contrary, notwithstanding.

No Tobacco to be false packt.

On Forfeiture.

And be it Enacted, by the Authority aforesaid, That all Persons making Tobacco within this Province, shall be obliged to get the same ready packed and prized for Shipping, by the last Day of May Yearly, during the Continuance of this Act; and that any Person or Persons, that shall neglect or refuse to get his or their Tobacco ready, as aforesaid, and shall presume to sell or ship any Tobacco so neglected to be got ready, till the Tenth Day of November then next, shall forfeit such Tobacco, or the full Value thereof; One Moiety to be applied toward the Support of the Free-School of the County where the Fact shall be committed, and the other Moiety to him or them that will sue for the same; to be recovered in the County Court, by Action of Debt, Bill, Plaint or Information, wherein no Effoyn, Protection or Wager of Law shall be allowed.

All Makers of Tobacco, to get it ready packt and priz'd for shipping, by the last Day of May, or not sell or ship it till the Tenth Day of November, on Forfeiture of it.

And be it further Enacted, That every Person paying away any Hogshead, or Hogsheads of Tobacco, shall mark or cause to be marked on the Bidge thereof, within Five Pounds of the real and exact Weight of the empty Hogshead, on pain of Four Hundred Pounds of Tobacco; to be recovered and applied in the same Manner as the Penalty for False Packing.

Real Weight of the empty Hogsheads to be mark'd.

And be it Enacted, That the Allowance for the Hogshead, from the Buyer to the Seller, shall be Eight per Cent. of the Neat Weight of the Tobacco therein contained, and no more. And for the Prevention of making Seconds,

Eight per Cent. of the Neat Weight, to be allow'd for the Hogshead.

Be it Enacted, by the Authority aforesaid, That all Persons having the Rule and Direction of any Plantation or Place where Tobacco shall be made, shall be obliged Yearly, and every Year, during the Continuance of

For preventing the making of Seconds,

All Tobacco-stalks shall be cut up 20 Days after the Tobacco is cut down.

On Penalty of, &c.

How to be recovered & applied.

No Tobacco-seed to be sown in Hills.

Persons that sell or pay Tobacco shall roll the same to some convenient Landing, if ordered.

On Penalty.

For which they shall be allowed Six Pence per Mile, by the Person that orders it to be so rolled.

Planters to roll their own Tobacco.

How the Penalties to be recovered, and applied.

of this Act; to cut up, or cause to be cut up, all the Tobacco-stalks on such Plantation or Place, within the Space of Twenty Days after the Tobacco shall be cut down and housed, on Pain of forfeiting Four Hundred Pounds of Tobacco for every Person employed in making Tobacco on such Plantation or Place; One Moiety to be applied towards supporting the Publick School of the County where the Fact shall be committed, and the other Moiety to any Person or Persons that will sue for the same; to be recovered in the County-court, where the Penalty shall exceed Four Hundred Pounds of Tobacco, by Action of Debt, Bill, Plaint or Information, wherein no Essoyn, Protection, or Wager of Law shall be allowed: And, where the Penalty shall not exceed Four Hundred Pounds of Tobacco, that the same shall be recovered by the Prosecutor, to his own Use, before a single Magistrate.

And be it further Enacted, That no Person having the Rule and Direction of any Plantation, shall sow, or cause or suffer to be sowed, any Tobacco-seed in Hills, on Pain of forfeiting Four Hundred Pounds of Tobacco for every Thousand Hills that shall be sowed with Tobacco-seed; to be recovered and applied in the same Manner as the Penalties for false Packing and false Taring are.

And be it further Enacted, That all Persons that sell or pay away their Tobacco, shall be obliged to Roll the same within one Mile at the least of some convenient Landing, within five Days after being thereunto requested by an Order in Writing under the Hand of the Proprietor, Agent or Receiver of such Tobacco; which said Order, shall be a sufficient Justification for the Parties Rowling it, if not prevented by the Act of God, on pain of forfeiting the Quantity of One Hundred Pounds of Tobacco, for every Hoghead that shall not be so rolled; to be recovered by the Party grieved, or by any other Person or Persons that will inform and prosecute for the same, to his and their own Use, in the same manner as small Debts are recoverable before a Single Magistrate; for which such Person shall be allowed after the rate of Six Pence per Mile, for every Hoghead of Tobacco that shall be so rolled; to be recovered of the Party who signs the Order for Rolling of the Tobacco, before a Single Magistrate. And that all Persons shipping their own Tobacco, shall be obliged to Roll the same within one Mile of some convenient Landing; under the like Penalties with those that sell or pay away their Tobacco; to be recovered by any Person that will prosecute for the same, before a Single Magistrate, where the Penalty shall not exceed Four Hundred Pounds of Tobacco; and where it shall exceed that Quantity, to be recovered in the County Court, by Action of Debt, Bill, Plaint, or Information, wherein no Essoyn, Protection or Wager of Law to be allowed. The one Half thereof, to the use of publick Schools in the several Counties where such Forfeiture shall arise, the other Half to the Informer, or him, or them that shall Inform and prosecute for the same; any Law, Usage or Custom to the contrary, notwithstanding.

And be it Enacted, That such part of an Act of Assembly, entituled, *An Act for securing Merchants and others Tobacco, after they have received it, and the declaring the Altering the Mark or Quality thereof to be Felony,* and against false Packing, as relates to false Packing; and such Part of an Act of Assembly, entituled, *An Act ascertaining the Gauge and Tare of Tobacco*

Tobacco-Hogsheads, and to prevent cropping, cutting and defacing Tobacco taken on Board Ships or Vessels upon Freight; and for laying Impositions on Tobacco per the Hogshead, for the Support of Government; and for the encouraging Settlements in this Province, by ascertaining the manner of paying his Lordship's Alienation Fines and Quit Rents, for the Term therein proposed, and for taking off the Three Pence per Hogshead formerly raised for the Publick Charge, so far as it relates to imposing a Penalty for false Tareing of Tobacco-Hogsheads; shall be, and are hereby repealed and abrogated.

Repeals of former Acts.

This Act to continue in Force for Three Years from the End of this Session of Assembly.

Duration of this Act.

An ACT for the speedy and effectual Publication of the LAWS of this Province, and for the Encouragement of William Parks, of the City of Annapolis, Printer.

WHEREAS at a former Session of this present General Assembly, held in the Month of March, Seventeen Hundred and Twenty Six, it was Resolved, That the said *William Parks* should print the Publick Laws, Speeches and Answers, at the Opening each Session, and that he should be allowed Two Thousand Pounds of Tobacco for each County, by the respective Counties, Yearly.

And whereas the said *William Parks*, did (pursuant to the said Resolution,) print and deliver to the Parties mention'd in the said Resolution, the several Publick Laws, enacted in the said Session of Assembly held in the said Month of March, and also in the Session of Assembly held in the Month of July, in the Year of Our Lord Seventeen Hundred and Twenty Six, for which there was due to the said *William Parks*, Two Thousand Pounds of Tobacco from each County respectively, according to the said Resolution.

And whereas the said *William Parks*, upon his Application to the Justices of the several Counties, for an Allowance of the Payment of the said Quantities of Tobacco so due to him as aforesaid, hath receiv'd the same from several Counties of this Province, but the Justices of some other Counties have (thro' a Misapprehension of the said Resolution,) refused to allow and pay the same to the said *William Parks*: For the Remediing whereof, and for the Prevention thereof for the Future, as also for the Encouragement of the said *William Parks*, in the Service of the Country,

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commissioners of the several County-courts of this Province, are hereby impowered and directed to make an Allowance of Two Thousand Pounds of Tobacco in the Levy to be laid for each respective County, next after this present Session of Assembly; and that the said Two Thousand Pounds of Tobacco so to be allowed and assessed as aforesaid, shall be collected by the Sheriff of each respective County, and paid by him, free from all Charges of Collection, to the said *William Parks*, or his Order,

In the Year 1726, it was Resolv'd by both Houses of Assembly, That *William Parks* should print the Publick Laws, &c. of each Session, and that he should be allow'd 2000 Pounds of Tobacco by each County Yearly: Which Agreement the said *William Parks* comply'd with:

But the Justices of some Counties refusing to pay the said 2000 l. of Tobacco, thro' a Misapprehension of the said Resolution:

For Remedy thereof, It is Enacted, That the Justices of each County are to allow levy and assess 2000 l. of Tobacco Annually, for the said *William Parks*, for the said Annual Services

der, for the Printing, and Stitching, and Delivering a Copy of the Publick Laws, Speeches and Answers made at this present Session of Assembly, to every Member of Assembly, and Commissioner of the Peace for the Time being, and a Copy of such Laws (bound in Leather) to the Publick, and each House of Assembly, and to each County-Court of this Province.

Justices of every County, to levy 2000 Pounds of Tobacco Annually, out of the respective Counties, for the said *W. Parks*, for the Services aforesaid.

Counties which neglected paying the 2000 l. of Tobacco, last Year, according to Agreement,

Are now required to do it.

Duration of this Act.

And be it further Enacted, by the Authority aforesaid, That the Commissioners of each County-court in this Province, during the Continuance of this Act, be and are hereby impowered and directed, at every Time of laying the Levy, in each respective County, after the End of this present Session of Assembly, to allow the Quantity of Two Thousand Pounds of Tobacco Annually to the said William Parks, or his Order, for the Purposes aforesaid, which the said Justices are hereby impowered to levy upon the Inhabitants of the several Counties, with the Sheriffs Salary for Collection thereof.

And be it further Enacted, by the Authority aforesaid, That the Commissioners of each Court of the respective Counties, who have not already paid and allowed to the said William Parks, the said Quantity of Two Thousand Pounds of Tobacco, for Printing the Laws made at the Sessions of Assembly held in the Months of March and July as aforesaid, shall be and are hereby impowered and directed to allow the said Two Thousand Pounds of Tobacco to the said William Parks, in the Levy to be laid next after this present Session of Assembly, over and above the Two Thousand Pounds of Tobacco to be allowed him as aforesaid, for this present Session of Assembly.

This Act to continue in Force until the Twenty First Day of March which shall be in the Year of Our Lord One Thousand Seven Hundred and Thirty Two.

An ACT declaring the Bounds of Two Acres of Land, heretofore granted to Great-Choptank Parish, on which the Chapel in Vienna now stands.

WHEREAS at a Session of Assembly, begun and held at the City of Annapolis, the Sixth Day of October, Anno Domini Seventeen Hundred and Twenty Five, an Act was made, investing the Vestry of Great-Choptank Parish in Dorchester County, with an Estate in Fee-simple, to Two Acres of Land therein mention'd: But forasmuch as there is not express'd, in the said Act, any Lines or Courses to circumscribe the same, nor Beginning prefixt thereto, whereby the said Vestry can ascertain or settle the Bounds thereof. For Remedy whereof, it is prayed that it may be Enacted,

Defects of a former Law, Remedied.

The Bounds settled,

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Bounds of the said Two Acres of Land appropriated to the said Chapel at Vienna, in the Parish aforesaid, shall be and are hereby deemed and declared to be as follows, (that is to say,) Beginning at the North-East Corner of the said Chapel, and running thence East to Lieutenant Colonel William Ennalls's Ditch; thence South, binding with the

the said Ditch Nine Perches; thence *West*, Twenty Perches; thence *North*, Sixteen Perches; thence *East*, Twenty Perches to the aforesaid Ditch; thence *South* binding therewith Seven Perches, 'til it intersects the aforesaid *East* Line drawn from the said Chapel, containing Two Acres of Land. And that the same Bounds and Lines, circumscribing the same, should be settled and perpetuated,

Be it Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That the Vestry of the said Parish are hereby required and enjoined, within Six Months from the End of this Session of Assembly, to run the said abovementioned Lines, and place One Cedar Post at each Corner of the same, and enter the said Lines and Plat in their Register-Book of the said Parish.

And the Vestry required to run out the Lines, and register it.

An ACT empowering the Vestry-Men and Church-

Wardens of St. Paul's Parish in Baltimore County, to purchase One or more Acres of Land in the said Parish, and to build a Parish Church thereon; as also for raising a Fund, to compleat and finish the same.

WHEREAS it is represented to this present General Assembly, by the major Part of the Inhabitants of St. Paul's Parish in Baltimore County, That the Church now belonging to the said Parish, is not only very Inconvenient to the greater Part of the Parishioners, but so small that it will hardly contain the Half of them, and is so very ruinous and decayed, that the Charge of repairing it will be almost as considerable as the Building a new One. It is therefore humbly prayed that it may be Enacted,

The present Church being inconvenient, and out of Repair,

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Vestry-Men and Church-Wardens of the said Parish, or the major Part of them, be and are hereby authorized and empowered to agree for and purchase One or more Acres of Land in the most convenient Part of the said Parish, and to cause a new Church to be built thereon, for the Use of the said Parishioners; which said Church shall hereafter be deemed and taken as the Parish-Church of the said Parish, and be called St. Paul's Church. And, for the better enabling the said Vestry-Men and Church-Wardens to proceed on the Purchase and Building aforesaid,

The Vestry, &c. are empowered to purchase Land, and to build a new one.

And for defraying the Expence,

Be it further Enacted, by the Authority, Advice and Consent aforesaid, That the Justices of Baltimore County-court for the Time being, shall (on Application to them made by the Rector, Vestry, and Church-Wardens of that Parish,) by Virtue of this Act, be authorized and required, to assess the Sum of Ten Pounds of Tobacco on every Taxable Person within the said Parish, in every November-Court Yearly and every Year, until the said Land shall be paid for, and the said Church finished; which said Ten Pounds of Tobacco per Pole, the Sheriff of Baltimore County for the Time being, is hereby required to levy and collect the same, (for which the said Sheriff shall be allowed Five per Cent. and no more,) and pay the same to the Vestry-Men and Church-Wardens of the said Parish for the Time being, for the Uses aforesaid.

The Justices are empowered to assess Tobacco.

And whereas there is now in the Hands of the said Vestry, the Sum of Six Thousand Pounds of Tobacco, which cannot be applied other-ways, than to the Repair of the now Church,

Be

Vestry im-
powered to
apply the To-
bacco.

But not to
purchase
more than 2
Acres of
Land, or raise
more than
40000 l. of
Tobacco.

Be it Enacted, That the said Vestry-Men and Church-Wardens be and are hereby impowered to apply the said Six Thousand Pounds of Tobacco to the Uses herein before directed; any Law, Usage or Custom to the contrary, notwithstanding.

Provided always, That the said Vestry-Men and Church-Wardens, do not purchase any more than Two Acres of Land, or raise more than Forty Thousand Pounds of Tobacco, by the Ten per Pole, on the Inhabitants of the said Parish, towards the building the said Church; any thing herein before contained to the contrary, notwithstanding.

*An ACT for erecting a Court-House and Prison
on the East Side of the Head of Port-Tobacco Creek, at a Place call'd
Chandler-Town, in Charles County; and for making Sale of the Old
Court-house and Prison.*

The present
Court-house
being decay'd,
a New one
must of Ne-
cessity be
built: But
the Situation
of this, being
for many Rea-
sons inconve-
nient,

WHEREAS the Magistrates of Charles County-court, by their humble Petition to this General Assembly, have set forth, That their Court-house is so far impaired, ruined and decayed, that there is a Necessity for erecting a new One; and that the Place where the Court-house now stands, is so remote from any Landing, that the Charge of bringing Materials together, by Land-Carriage, for that End, will be much greater than if the same was to be built at the Head of Port-Tobacco Creek, where they may be easily Water-born, and is a Place not only in that, but several other Respects, deem'd more beneficial for the Ease of the Inhabitants and Suitors to the said Court; and have therefore prayed Leave, That an Act may pass for building the same at the Place aforesaid: All which being sufficiently made appear to this Assembly, together with the unanimous Voice and Consent of the Freeholders of the same County thereto, It is prayed that it may be Enacted,

It is Enacted,
That the Jus-
tices, before
the second
Tuesday in
March next,
choose out 3
Acres of Land
at Chandler-
Town on
Port-Tobacco
Creek, where-
on to build a
Court-house
and Prison.
And agree
with the Ow-
ner for it.

And if the
Owner refuse
to sell it, to
impanel a
Jury, who
shall value it.

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of His Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Justices of Charles County-court, or the major Part of them, be and are hereby authorized and impowered, on or before the Second Tuesday of March, next after this Session of Assembly, to go to such Place commonly known by the Name of Chandler-Town, on the East Side of Port-Tobacco Creek, in the said County, and there make Choice of Three Acres of Land, whereon to build such Court-house and Prison, as they shall think necessary, and to agree with the Owner for the Purchase thereof forever. And in case the Owner or Owners of such Land, refuse to make Sale of such Three Acres of Land, at a reasonable Price, or be under any Disability of making Sale thereof; then the said Justices, or the major Part of them, shall be and are (by Virtue of this Act) authorized, impowered and required, to issue their Warrants to the Sheriff of the said County, requiring and commanding him to impanel and return a Jury of the most substantial Free-holders, (not less than Twelve,) Inhabitants within the said County, to be and appear before the said Commissioners, at the said Place, upon a certain Day to be by them limited; which Jury, upon their Oath, to be by the said Commissioners, or the major Part of them, administred to the said Jurors, shall enquire into the Value

Value of the said Three Acres of Land, and the Damages the Owner or Owners thereof will sustain by the building a Court-house thereon; and what Sum of Tobacco the said Jurors shall assess to the Owner or Owners of such Land for such Land and Damages, for building a Court-house and Prison thereon, shall be paid to the Owner or Owners of such Land, by the said County, and the County entituled to such Land, for the Use of the said County for ever. And the said Justices, or the major Part of them, are authorized and hereby impowered to cause the said Three Acres of Land to be laid out by the Surveyor of the said County, and a Certificate thereof to be returned and recorded in the County-court Records, and to treat and agree with Undertakers, or Workmen, to build and finish a Court-house and Prison on such Three Acres of Land as aforesaid; and the Charge of the said Works and Costs of the Land, to levy upon the said County, by an equal Assessment on the Taxable Persons therein; any Law, Statute, Usage or Custom to the contrary, notwithstanding.

And the Value to be paid to the Owner, and the County then entituled to the land.

Justices are to cause the 3 Acres to be surveyed, and a Certificate returned and recorded, & to agree with Undertakers, and the Costs to levy on the County.

And be it further Enacted, by the Authority, Advice and Consent aforesaid, That after the building and finishing the said Court-house, Charles County-court shall be held in such new Court-house and not elsewhere; and such new House shall be taken and deemed to be the proper Court-house of Charles County. And the Justices of the said County, are hereby impowered and required with all convenient Speed, after finishing the said new Court-house at Port-Tobacco Creek as aforesaid, to remove, or cause to be removed from the old Court-house of the said County, to such Court-house as aforesaid, to be built in the said County, all the Record-Books, Rolls, Papers, and other Records to the said County-court belonging; and that they cause a List of the said Records to be Signed by the Clerk of the said County, and enter'd upon Record among their Proceedings,

Charles County-Court House shall be held at the new House where the Justices are to remove the Records, &c.

And be it further Enacted, by and with the Advice and Consent aforesaid, That the Justices of the said County-court, or the major Part of them, are hereby authorized, impowered and required (after building and finishing the new Court-house as aforesaid,) to make Sale of the old Court-house and Prison, with the Land thereto belonging, to the best Purchaser or Purchasers, and to convey an Estate thereof in Fee-simple, to them, their Heirs, and Assigns for ever: And that the Money or Tobacco that shall arise by the Sale thereof, shall be applied to the Use of the County, towards defraying the Charge thereof; any Law, Statute, Usage or Custom to the contrary, notwithstanding.

Justices have Power to sell the old Court-house and Prison, in Fee-simple.

And the Money arising by the Sale to be for the Use of the County.

An ACT for Relief of William Maria Farthing,
a languishing Prisoner in St. Mary's County, John Conoway, William Jones, John Cook, Philip Anthony Uffleman, Samuel Glover, and Lawrence Hays, languishing Prisoners in Anne-Arundel County. John Peddycoat, a languishing Prisoner in Baltimore County. John Wood, a languishing Prisoner in Anne-Arundel County. Thomas Hill, a languishing Prisoner in Talbot County. Clarina Gilly, a languishing Prisoner in Calvert County. John Glassington, a languishing Prisoner in Baltimore County, and Avinio Butler, a languishing Prisoner in Talbot County.

Preamble,

WHEREAS William Maria Farthing, of St. Mary's County; John Conoway, William Jones, John Cook, Samuel Glover, and Lawrence Hays, of Anne-Arundel County; John Peddycoat, of Baltimore County; John Wood, of Anne-Arundel County; Thomas Hill, of Talbot County; Clarina Gilly, of Calvert County; John Glassington, of Baltimore County, and Avinio Butler, of Talbot County; have (by their humble Petitions to this present General Assembly,) severally set forth, That they have continued Prisoners for Debt in the Custody of the Sheriffs of the several Counties aforesaid; viz. William Maria Farthing, in the Custody of the Sheriff of St. Mary's County; John Conoway, William Jones, John Cook, Samuel Glover and Lawrence Hays, in the Custody of the Sheriff of Anne-Arundel County, and John Peddycoat, in the Custody of the Sheriff of Baltimore County, John Wood, of Anne-Arundel County; Thomas Hill, of Talbot County; Clarina Gilly, of Calvert County; John Glassington, of Baltimore County, and Avinio Butler, of Talbot County; for a considerable Time past, and still continue in the like deplorable Circumstances, not being able to redeem their Bodies with all their Estate or Interest they have in the World; which they would readily surrender up and part with to their several and respective Creditors, if they would accept of the same, and grant the said Petitioners their Liberty, which seems so unlikely for them to obtain; that (unless reliev'd by a particular Act to be past in their Favour, which by their said Petitions they have humbly prayed,) they must inevitably continue Prisoners for Life, and thereby their Families utterly ruined; and for that the Truth of the said Petitioners Allegations is made appear to this General Assembly by sufficient Testimony, and that the said Petitioners, and their Families, are fit Objects of Charity, and that their lying in Goal can be no Benefit to their Creditors: It is humbly prayed that the said Petitioners may be relieved according to their Prayer. And that it may be Enacted,

Unless the
Creditors go
to the Sheriffs,

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That unless all or any of the Creditors of the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Peddycoat, Avinio Butler, John Wood, Thomas Hill, Clarina Gilly and John Glassington, or the Creditor or Creditors of any or either of them

them, or the Attorney or Attorneys of such Creditor or Creditors aforesaid within this Province, shall within Twenty Days, after the End of this Sessions of Assembly, go to the Sheriffs of the aforesaid Counties of St. Mary's, Anne-Arundel, Baltimore, Talbot and Calvert; and give good Security to pay the Imprisonment-Fees of Ten Pounds of Tobacco per Day, that shall or may become due from the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Paddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington and Arvinio Butler, after the End of the said Twenty Days; and also to find the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Paddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington and Arvinio Butler, sufficient Meat, Drink, and Cloathing, during their future Imprisonment, in case they the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Paddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington, and Arvinio Butler, shall deliver up and surrender, or cause to be delivered up and surrendered to the Sheriffs of St. Mary's, Anne-Arundel, Baltimore, Talbot and Calvert Counties aforesaid, in the Presence of Two Justices of the Peace in each of the said Counties, whom the said Sheriffs are hereby required to summon on the Request of the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Paddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington, and Arvinio Butler, at the Dwelling, Plantations, or Places of Abode of the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Paddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington and Arvinio Butler, at some convenient Time before the Twentieth Day of December next, all their real and personal Estate, either in Possession, Reversion or Remainder; or in Trust, or in or unto which they have, or any or either of them hath any Claim or Interest whatsoever; and do likewise, by the Day before mentioned, convey, assign, transfer and make over unto the said Sheriffs of St. Mary's, Anne-Arundel, Baltimore, Talbot, and Calvert Counties, for the Use of their said Creditors, all such their Estate, Interest or Claim as aforesaid; after such Manner as by the said Sheriff, and the major Part of the said Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise or require, at the Costs and Charges of such Persons, as shall claim the Benefit thereof; so as the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Paddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington and Arvinio Butler, be not burthened with any Warrantees thereby, other than from themselves, or those that claim by, from, or under them; and that the said William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Paddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington and Arvinio Butler, and either of them at the Time of such their Surrender, and transferring their Estate as aforesaid, shall take his or their solemn Oath, or Oaths, or Test, before the said Two Justices of the respective Counties aforesaid, so to be summoned as aforesaid, to the Effect following, viz:

In 20 Days
and give Se-
curity, for
Payment of
Imprison-
ment Fees,
&c.

Debtors to
be discharg'd
upon Surren-
dering their
Estates,

Before
whome,

Where;

And when;

In what
Manner,

On Oath;

I. A. B.

“ **I** A B. Do solemnly fware, That the Goods, Debts, and Effects,
 “ which I have delivered, assign’d, and made over to the Sheriff
 “ of County, and in Trust for the Use of my Creditors,
 “ is the whole Estate, both Real and Personal, of my own in Pos-
 “ session, or have any Title to in the World : And that I have not any
 “ Estate, Goods, or Effects of any kind whatsoever left, either in Pos-
 “ session, Reversion or Remainder ; (the necessary Wearing Apparel
 “ for my self, Wife, and Children excepted,) And that I have not di-
 “ rectly or indirectly, sold, leased, or otherwise conveyed, disposed of,
 “ or intrusted ; all or any Part of my Estate, thereby to secure the same,
 “ to receive or expect any Profit or Advantage thereof.”

So help Me G O D.

It shall and may be lawful for the Sheriffs of the respective Counties
 aforesaid, after the End of the said Twenty Days, and the said Sheriffs
 are hereby required to discharge the said *William Maria Farthing, John*
Conoway, William Jones, John Cook, Samuel Glover Lawrence Hays,
John Peddycoat John Wood, Thomas Hill, John Glassington and Avinio
Butler, out of their Custody and to suffer them to go at large.

And acquit-
 ted, &c. from
 all Debts due
 from them
 before the
 Assembly.

In case the
 Prisoners or
 Sheriff be su-
 ed after-
 wards.

They may
 enter Com-
 mon Ap-
 pearance, &
 give this Act
 in Evidence ;
 and in case of
 Nonsuit, re-
 cover double
 Costs.

And be it further Enacted, That upon the said *William Maria Farthing,*
John Conoway, William Jones, John Cook, Samuel Glover, Lawrence
Hays, John Peddycoat, John Wood, Thomas Hill, John Glasington, and
Avinio Butler, their complying with what is required of them by this
 Act, That they the said *William Maria Farthing, John Conoway, William*
Jones, John Cook, Samuel Glover, Lawrence Hayes, John Peddycoat,
John Wood, Thomas Hill, John Glassington, and Avinio Butler, and ei-
 ther of them, they and either of their Heirs, Executors or Administra-
 tors, shall be, by Virtue of this Act, acquitted, exonerated, released
 and discharged, off and from all manner of Debts, Duties, Claims and
 Demands whatsoever that have been severally contracted by them, or
 have arose due or become demandable from them at any Time before
 the Sitting of this present General Assembly ; And that in case the said
William Maria Farthing, John Conoway, William Jones, John Cook,
Samuel Glover, Lawrence Hays, John Peddycoat, John Wood, Thomas
Hill, Clarina Gilly, John Glassington, and Avinio Butler, or either of
 them, shall, after their Compliance and Discharge as aforesaid, be arrested or
 sued for any such their Debts or Duties-as aforesaid, or that the said She-
 riffs should be sued for any Matter or Thing required of them or either
 of them, to be done by this Act : That then the said *William Maria*
Farthing, John Conoway, William Jones, John Cook, Samuel Glover,
Lawrence Hays, John Peddycoat, John Wood, Thomas Hill, Clarina Gilly,
John Glassington and Avinio Butler, or the said Sheriffs, or either of
 them whom it may concern, may enter a Common Appearance or Ap-
 pearances without special Bail to any such Action or Actions as shall be
 brought against them, or either of them, and plead thereto the General
 Issue, and give this Act, or the Exemplification thereof with the special
 Matter thereon arising in Evidence ; and that in case the Plaintiff or
 Plaintiffs, commencing and bringing such Action or Actions as aforesaid,
 shall be Nonsuit, the Defendant or Defendants shall recover against
 him or them double Costs of Suit ; any Law, Statute, Usage or Custom
 to the contrary, notwithstanding.

And

And be it further Enacted, That the Sheriffs of the several and respective Counties aforesaid, and either of them, shall (after such Surrender and Delivery up as aforesaid,) give publick Notice at the Churches, Court-houses and Mills, within the said Counties, of some precise Time, by them the said Sheriffs and the said Two Justices to be appointed, for the Distribution of the said *William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Peddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington, and Arvinio Butler*, their Effects and Estate, not less than Twenty Days after the Time of the making the said Surrender; and shall then and there, in the Presence of Two such Justices as aforesaid, and by their Advice and Directions, make Distributions of the Estate or Estates of the said *William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Peddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington and Arvinio Butler*, or of the Estate or Estates of either of them, so as aforesaid to be surrendered and deliver'd up or transferred, amongst such of their said Creditors only, as shall then by themselves, or their lawful Attorney or Attorneys, think fit to be present at such Distribution, by an equal and proportionable Distribution thereof to every such Creditor, with Respect had and in Proportion to the Largeness of his or her Debt: The Proceedings of the said Justices and Sheriffs in that Behalf, to be certified to the Courts of the several Counties aforesaid, and there lodg'd for the Perusal of any of the Creditors of the said *William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Peddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington and Arvinio Butler*, that shall require the same, without any Fee to be paid thereon, or for such Lodging thereof; saving the Right of the said Lord Proprietor, his Heirs and Successors, and of all Bodies Politick and Corporate.

Provided nevertheless, That in case the said *William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Peddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington, and Arvinio Butler*, or either of them, shall at any Time after the making such his or their Oath or Oaths, or taking such Test aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Noncompliance with the Tenour of such Oath or Test; That then the said *William Maria Farthing, John Conoway, William Jones, John Cook, Samuel Glover, Lawrence Hays, John Peddycoat, John Wood, Thomas Hill, Clarina Gilly, John Glassington, and Arvinio Butler*, or such of them as shall be convict, as aforesaid, shall, upon such Conviction, be adjudged to stand Two Hours in the Pillory, and have his Left Ear cut off, and shall be wholly deprived of any Benefit design'd him, them, or either of them by this Law; and shall be from thenceforth liable to be prosecuted for any Debts or Demands whatsoever, in the same manner as if this Act had never been made; any Thing therein contained to the contrary, notwithstanding.

Provided likewise, and be it Enacted, by the Authority, Advice and Consent aforesaid, That notwithstanding the Discharge of the Persons of the Prisoners aforesaid, upon taking the Oath aforesaid, all and every Judgment now had and taken, or that shall hereafter be obtained, had and taken, against any of the aforementioned Prisoners, by any of their Creditors, for any Debt or Debts owing and remaining due from any

After Surrender, Sheriffs to give Notice of the Time appointed for Distribution,

Which is not to be less than 20 Days after the time of Surrender. Sheriffs to make Distribution,

In what Manner,

And how,

Proceedings to be certified to the County Courts, and there lodged for the Creditors Perusal.

In Case the Prisoners or either of them shall after taking the Oath be convict of wilful and corrupt Perjury, &c.

Such, so convicted, to stand 2 Hours in the Pillory, have left Ear cut off, and loose the Benefit of this Act.

Notwithstanding the Discharge of the Persons of the Prisoners, Debts still to stand good,

Against
what such Pri-
soners shall
hereafter ac-
quire, in their
own Right
only, and Ex-
ecution may
Issue,

Necessaries
excepted.

William Ma-
ria Farthing
to give Secu-
rity for good
Behaviour.

And

Philip An-
thony Uffleman
also.

of them to such their Creditors, after such Surrender and Distribution made as aforesaid, shall be and stand good and effectual in Law to all Intents and Purposes, against the Lands, Tenements, and Hereditaments, Goods, and Chattles that the said several Prisoners so discharged as aforesaid, shall hereafter acquire, and come to the Possession of, and in their own Right only. And it shall and may be lawful to and for the Creditors of the said several Prisoners so discharged as aforesaid, their Executors, Administrators or Assigns, to take out any new Execution against the Lands, Tenements, Hereditaments, Goods and Chattles of the Prisoner or Prisoners aforesaid, (his or their Wearing Apparel, Bedding for his or their Family, and Tools necessary for his or their Trade, or Occupation, and what may be necessary for their Subsistence, not exceeding the Value of Five Pounds current Money,) for the Satisfaction of the Remainder of his or their said Debt, in such sort, manner and Form as he or they might have done, if the Person or Persons of the said several Prisoners so discharged as aforesaid, had never been taken in Execution; any Act, Statute, or Custom to the contrary, notwithstanding.

Provided always, That *William Maria Farthing* shall not be entitled to any Benefit or Privilege by Virtue of this Act, until he give good Security for his good Behaviour for Twelve Months, before Two Justices of the Peace for St. Mary's County; any Thing in this Act contained to the contrary in any wise notwithstanding.

And be it Enacted, That *Philip Anthony Uffleman*, upon giving Security in the Sum of Fifty Pounds current Money of Maryland, for his good Behaviour, during his Continuance within this Province, shall be discharged from his Imprisonment.

An A C T for the Payment and Assessment of the Publick Charge of this Province, for this present Year One Thousand Seven Hundred and Twenty Seven.

WHEREAS there hath been the Sum of Three Hundred and Eighty Five Thousand, Nine Hundred and Forty One Pounds of Tobacco, and Three Hundred and Seventy One Pounds Nine Shillings current Money of Maryland, in Money, laid out and expended for the Publick Charge of this Province, to the Twenty Eighth Day of October, in the Year of our Lord One Thousand Seven Hundred and Twenty Seven: To the Intent the same may be satisfied and paid to whom the same is due, as by the Journals of the Levy and Lists of Payment thereto annexed appears,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said Sum of Three Hundred and Seventy One Pounds, Nine Shillings current Money aforesaid, be satisfied and paid to whom the same is due, out of the Publick Stock of Money lodg'd in the Treasurers Hands of this Province; and that the Tobacco now raised and to be lodged in the Hands of the several Sheriffs of this Province, be applied, and a Levy

The Sum
expended,
and to what
Time.

Levy or equal Assessment of Fifteen Pounds of Tobacco per Poll be, by Virtue of this Act, levied and assessed upon the Bodies and Estates of the Taxable Inhabitants of this Province, and paid to the several Persons to whom it is due, according to the Journal of Accounts and Disbursements for the necessary Charges of this Province, which have been examined, and now stated and allowed of by this present General Assembly.

And paid by a Levy of 15^l. of Tobacco per Poll, to whom the same is due.

The following PRIVATE LAWS, were also Enacted this Session.

AN ACT for the Naturalization of *Francis Ludoph Bodien*, of Kent County, Chirurgion, and his Children.

An ACT to make valid a Deed of Bargain and Sale, from *William Rogers*, and *Mary* his Wife, to *John Tennison*, of Charles County, when recorded.

An ACT for the Naturalization of *Daniel Manaydier* of Talbot County, Clerk, and his Children.

An ACT for the making good and valid a certain Indenture, or Deed of Bargain and Sale, from *Bartholomew Atkinson*, and *Sebere* his Wife, late of Baltimore County, to *John Hurd*, of Anne-Arundel County.

An ACT for the making good and valid in Law, a certain Deed of Bargain and Sale, from *John Bowen*, of Prince George's County, to *John Frazer*, of Calvert County, Mariner.

An ACT for the Naturalization of *John Woolf*, of the City of Annapolis, Shoemaker, *Hannah Woolf*, his Wife, *Peter Woolf* the Son of the said *John Woolf*, *Annelese Woolf* and *Hannah Woolf*, Daughters of the said *John Woolf*, and *Marwdin Woolf* of the said City, Spinster, and *Garret Woolf* of the said City, Shoemaker.

An ACT for the Naturalization of *John Samuel Minskie*, of the City of Annapolis, Blacksmith, and *Katherine Minskie*, his Wife, and *Susannah Minskie*, his Daughter.

An ACT for the making good and valid in Law, a certain Indenture, or Deed of Bargain and Sale, from *John Gray*, of Anne-Arundel County, to *Theophilus Kitton*, late of Baltimore County, Planter.

An ACT empowering certain Commissioners to vend and dispose of the Lands whereof *Samuel Groom* the Younger died seized, or was Mortgagee, in Fee or otherwise, within this Province; as also to sell and dispose of so much of the said Lands as will satisfy *Betty Gale*, and *Levin Gale*, Executors of the Testament of *Levin Denwood*, late of Somerset County, deceased, the Sum of 820 l. 5 s. 7 d. Sterling, due from the said *Samuel Groom*, the Younger, to the said *Levin Denwood*, and yet unsatisfied to the said *Betty Gale*, and *Levin Gale*, his Executors.

An ACT for the recording of a Deed indented of Bargain and Sale, from *Mary Orrel*, deceased, to *John Bickerton*, of Anne-Arundel County.

An ACT for the recording an indented Deed of Bargain and Sale, being the Counter-Part or Duplicate of an original Deed of Bargain and Sale, from *Mary Bateman* and *Henry Scarborough*, to *Richard Perry*.

An ACT for the Relief of *Peter Carmeck*.

An ACT for the Naturalization of *Peter Montgomery*, of Charles County, Planter, and his Children.

An ACT to confirm unto *William Foard*, of Anne-Arundel County, Two Tracts of Land, herein after mentioned.

An ACT for the making good and valid in Law, a Deed indented, duly executed and acknowledged, but not recorded, from *James Presbury* and *Martha* his Wife, to *William Marshal* and *Mary* his Wife.

An ACT for the Relief of *John Hance Steelman*, in making valid and effectual certain Deeds of Bargain and Sale, from *Thomas Edmonds*, of Baltimore County, and *Henry Bome*, of Cecil County, to *John Hance Steelman*.

By the Lower House of Assembly, July 20, 1726.

Resolved, That for the Future, no Petition be received into this House; for the Relief of any distressed Prisoner for Debt, but such as shall come to this House recommended from and sign'd by the Justices of the County where the Prisoner is detained, or the major Part of them, in Court sitting.

Sign'd per Order, M. J. Cl. Lo. Ho.

By the Lower House of Assembly, Oct. 13, 1727.

Ordered, That the Copy of the Resolve of last Assembly, relating to Poor Prisoners, be made out, in Order for the Printer to transmit the same to the several Counties, with the Laws of this Session.

Sign'd per Order, M. J. Cl. Lo. Ho.

The

The following L A W S, made in *October* Assembly 1722, being omitted to be collected in the last Volume, are thought proper to be added hereto.

An A C T for continuing all Causes in the High Court of Appeals, from the Court that was appointed to be held in July, Seventeen Hundred and Twenty Two, for the Time therein mentioned.

WHEREAS by the Act of Assembly of this Province, for Limiting the Continuance of Actions in the several Courts within this Province, and ascertaining the Manner of taking the Evidence of Sea-fareing Men, and for granting Appeals from the Chancery-Court to the Governour and Council, no Cause is suffered to continue therein longer than Four Courts from the Court of Appearance.

And whereas the Prolixity of some Causes in the Court of Appeals next preceeding *July* Court aforesaid, prevented the same Court from finishing what Business then depended, which was thereupon continued to *July* Court last, which was the last Court, that One or more of those Causes could be continued, without transgressing the aforesaid Act. And forasmuch as a sufficient Number of the Members of that Court did not then meet to proceed to Business, the Causes then depending could not be heard nor regularly continued according to the strict Rules of Law, so that the Parties may be in Danger of suffering, without their Default: For Prevention whereof,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly of this Province, and the Authority of the same, That all Actions that were depending in the High Court of Appeals 'till *July* last, be and stand in all Circumstances, and to all Intents and Purposes, fully continued to the End of the second Court of Appeals that shall sit to do Business after this present General Assembly; any Discontinuance or Want of Continuance, or other Defect therein, or any Thing in the said Act for Limiting the Continuance of Actions, in any wise notwithstanding.

An A C T for the Continuance of Process in Baltimore County Court.

WHEREAS the Business depending in *Baltimore* County, in *August* last, could not be determined, and that the Justices of that County adjourned their Court to *Tuesday* the 30th Day of *October* Instant, in order to finish the same; but for that a Member of the Lower House, who is general concerned in the Causes

Causes there, is obliged to attend his Duty in the Assembly; and that his Clients and himself would be greatly prejudic'd by his involuntary Absence, should the Causes (several of which cannot be continued, as the Law now stands, 'till November Court,) be try'd; or those he is concern'd for, be condemn'd unheard: For Prevention where of,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Suits, Pleas and Process, Civil and Criminal, that were not determin'd and ended in August Court last past, in Baltimore County-court, shall be, and are by Virtue of this Act, continued from August Court, to November Court next ensuing; any thing in the Act to limit the Continuance of Actions, or other Law, Usage, or Custom, or Defect of Sitting and Proceeding according to the Adjournment aforesaid, notwithstanding.

A Supplementary A C T to the Act for Repairing the Damages already sustained in the Records of the Land, Secretaries, Commissaries and County-Court Offices; and for Security of the same Records for the future.

FOR the better Executing of the said recited Act, Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Thomas Bordley, and Daniel Dulany, Esqrs. be added to the Commissioners already appointed by the said Act of Assembly, to view and examine the State of the Publick Records therein mentioned. And that the said former Commissioners (except Mr. Joseph Hill, who is hereby exempted from his Attendance thereon, thro' his bad State of Health) and the said Thomas Bordley, and Daniel Dulany, or any Three of them, shall be and are empowered and required to execute the several Powers and Authorities contained in the said Act.

And be it further Enacted, That the said Commissioners, or any of them that shall neglect or refuse to discharge the Trust in them reposed, except in case of Sicknels or some very pressing Occasion, to be adjudged by the major Part of the Commissioners then present, shall forfeit Five Hundred Pounds of Tobacco to the Use of Free Schools in the several Counties: And that every one of the said Commissioners shall be allowed Eighty Pounds of Tobacco, for every Days Attendance, in putting this or the said recited Act in Execution, in the Publick Levy.

And be it further Enacted, That the several Officers shall be obliged to give Security, in the same Sums, and same Manner, as prescribed by the said recited Act, for such Books as the said Commissioners, or any Three of them, shall adjudge to be now in good Repair; and that there be a Clause in the Condition of every Bond, to make the Officers answerable for every Book that shall be put into good Repair, by the Directions of the Commissioners, and delivered into the proper Office to which it belongs.

And be it further Enacted, That the said Commissioners, or any Three of them, shall and may, by Virtue of this Act, agree with any Person that will undertake to Transcribe and Repair the Publick Records, for Money or Tobacco, at their Discretion; any thing in the said recited Act to the contrary, notwithstanding.



Advertisement.

BY the LAWS made this last Session of Assembly, some former Acts, which are printed in the Whole Collection, are Repeal'd, and others Reviv'd: Therefore, the Printer has made the following Memorandums, for the Ease of those who have the said bound Collection, that they may mark out with their Pens, those LAWS that are Repeal'd, to prevent Mistakes hereafter, viz.

ACTS Repeal'd this Session.

BY the Tobacco-Law, made this Session, printed in the 12th and 13th Pages of this Book, are Repeal'd, Such Part of an ACT, entituled, *An ACT for securing Merchants and others Tobacco, after they have receiv'd it, and the declaring the Altering the Mark or Quality thereof, to be Felony, and against false Packing, as relates to false Packing*; printed in Page 91, of the said Book of Laws.—And such Part of an ACT, entituled, *An ACT ascertaining the Gauge and Tare of Tobacco-Hogsheds, &c.* (Page 181 of the said Book,) so far as it relates to the imposing a Penalty for false Tareing of Tobacco-Hogsheds.

ACTS Reviv'd this Session.

AN ACT for Relieving the Inhabitants of this Province, from some Aggrievances in the Prosecution of Suits at Law, printed in Page 69 of the bound Volume, is Reviv'd, by an ACT printed in the 9th Page of this Book.

An ACT for the Advancement of Justice, in Page 242 of the bound Volume, is Reviv'd, by an Act in the 9th Page of this Book.

An ACT for the Tryal of all Matters of Fact, &c. (commonly call'd the Circuit Law,) with the Supplementary ACT thereto, (in Page 255, and 266, of the bound Volume,) is Reviv'd, and some Defects in the said ACT amended, by an Act printed in the 5th Page of this Book.

Lately Publish'd,

A Compleat Collection of all the LAWS of Maryland, that were in Force to the last Session: Collected and Printed by Authority; and are to be Sold by William Parks, Printer, in Annapolis. (Price bound Twenty Four Shillings.) If any Gentlemen, who are entituled to these Books, on Account of the Publick, have not yet received them, they may have them on Demand, by sending their Receipts for the same.

